



Paper No. 15

Edward R. Gimmi
SmithKline Beecham
Corporation
Corporate Intellectual
Property-U.S., UW2220
P.O. Box 1539
King of Prussia, PA
19406-0939

COPY MAILED

JUN 13 2005

OFFICE OF PETITIONS

In re Application of :
Meek et al. :
Application No. 10/024,808 : DECISION ON PETITION
Filed: December 19, 2001 :
Atty Docket Number: P51217 :
:

This is in response to the PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b), "filed June 21, 2004.

The petition is GRANTED.

The above-identified application became abandoned for failure to timely file a response to the non-final Office action mailed November 26, 2003. This Office action set a shortened statutory period for reply of three (3) months from the mailing date of the action. A three-month extension of time for response under the provisions of 37 CFR 1.136(a) was filed on June 1, 2004. However, the maximum period for reply expired on May 26, 2004. No proper reply having been received and no proper extension of time having been timely received, the above-identified application became abandoned on February 27, 2004. The petition was filed prior to the mailing of a courtesy Notice of Abandonment.

Petitioner states that a continuing application has been filed. The above-identified application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the application, the application is again abandoned in favor of continuing application number 10/857,404, filed May 28, 2004. The continuing application will be processed in due course.

Petitioner is advised that pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Petitioner cannot extend the period for reply after the application has

obtainable, payment of the fee (\$950) is unnecessary and will be credited to petitioner's deposit account.

The application file for application number 10/024,808 is being forwarded to Files Repository.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-0309.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions